



1. On September 6, 2019, defense counsel filed a motion for leave to file a proposed response to government's sur-reply, E.C.F. No. 3479. This was the final pleading in that round of motions.
2. On December 2, 2019, the Court granted the motion for leave to file, and issued its order on the remaining disputed issues. The Order gave defense counsel 21 days to file a reply to the motion for new trial, a schedule that was proposed by stipulation of the parties some months earlier. This was later extended by the Court upon stipulation for 25 days because by happenstance the 21 day timeline stipulated to months earlier happened to conflict with other previously set deadlines and with Christmas.
3. The current due date for the reply brief is January 17, 2020. Defense counsel, who is a sole practitioner, is requesting 28 more days to file that reply brief because on or about January 3, 2020 defense counsel contracted the flu, which prompted a strong asthmatic reaction that hampered, and continues to hamper, his ability to work to his full abilities on this and other matters due in the near future. A more aggressive treatment regimen was instituted a few days ago, the outcome of which is not yet apparent, but is expected to take effect gradually. Accordingly, defense counsel is requesting all of the various deadlines he currently faces in January to be extended by approximately two to four weeks, depending on the calendar and other due dates.
4. The additional time requested herein is not sought for purposes of delay, but merely to allow the defense adequate time to recover and prepare a reply brief, taking into account due diligence.
5. Three prior extensions have been requested and granted.

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**WHEREFORE**, the parties respectfully request that the Court accept this Stipulation and enter an Order requiring the defense to file its Reply to the government's Response to the pending Motion for New Trial and/or Dismissal with Prejudice on or before **February 14, 2020**. For the convenience of the Court, a draft Order has been prepared and is attached to this Stipulation.

DATED this 10<sup>th</sup> day of January, 2020.

// s // Nancy Olson

NANCY M. OLSON

Assistant United States Attorney

Counsel for the United States

// s // Mark D. Eibert

MARK D. EIBERT

Counsel for Defendant Gregory Burleson

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that his business mailing address is P. O. Box 1126, Half Moon Bay, CA 94019, that he is not a party to this action, that he is a citizen of the United States of such age and discretion to be competent to serve papers, and that on the below date he caused a true and accurate copy of

**STIPULATION FOR EXTENSION OF TIME AND PROPOSED ORDER**

To be served via ECF on the United States District Court, which will e-serve counsel of record in this case, including the following:

NANCY M. OLSON, ESQ.

Assistant United States Attorney

501 Las Vegas Blvd. South, Suite 1100

Las Vegas, NV 89101

Email [Nancy.Olson@usdoj.gov](mailto:Nancy.Olson@usdoj.gov)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief. Executed on January 10, 2020 at Half Moon Bay, California.

*/s/ Mark D. Eibert*

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
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5 UNITED STATES,

6 Plaintiff,

7 vs.

8 GREGORY BURLESON,

9 Defendant.  
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)  
) No. 2:16-cr-046-GMN-NJK  
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**ORDER**

12 This matter coming on the parties' Stipulation for Extension of Time to File Defendant's  
13 Reply to Government's Opposition to Motion for New Trial and/or Dismissal with Prejudice  
14 (E.C.F. No. 3448), the Court having considered the premises therein, and good cause showing,  
15 the Court accepts the parties' Stipulation.

16 It is **ORDERED** that the defendant will file his Reply to the government's Response  
17 (E.C.F. No. 3448) on or before **February 14, 2020**.

18 It is **FURTHER ORDERED** that, because the defendant's Unopposed Stipulation for  
19 Extension of Time, (ECF No. 3484), requests the same relief now provided in this Order and  
20 appears to be a duplicate of the document filed at ECF No. 3485, the Stipulation, (ECF No.  
21 3484), is **DISMISSED as moot**.

22 Entered this 10 day of January, 2020.

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25 Gloria M. Navarro, District Judge  
26 UNITED STATES DISTRICT COURT  
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